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Case 48

A

POETICAL ESSAY

ON

DUELING.

By CHARLES PETER LAYARD, A.M.
FELLOW OF ST. JOHN'S COLLEGE.

*Eheu, cicatricum et sceleris pudet,
Fratrumque,* HOR. Lib. I. Od. 35.

C A M B R I D G E:

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MDCCLXXV.

POTENTIAL

ON

DEVELOPMENT

BY CHARLES PETER LAYARD, A.M.
OF ST. JOHN'S COLLEGE



Printed by J. Johnson & Co. New Bond Street, London; R. Macmillan & Co. Ltd., London; and P. Levey, Oxford.

CAMBRIDGE

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MDCCLXXV

A Clause of Mr. SEATON's Will,
Dated Oct. 8. 1738.

I Give my Kislisbury Estate to the University of Cambridge for ever: the Rents of which shall be disposed of yearly by the Vice-Chancellor for the time being, as he the Vice-Chancellor, the Master of Clare-Hall, and the Greek Professor for the time being, or any two of them shall agree. Which three persons aforesaid shall give out a Subject, which Subject shall for the first year be one or other of the Perfections or Attributes of the Supreme Being, and so the succeeding Years, till the Subject is exhausted; and afterwards the Subject shall be either Death, Judgment, Heaven, Hell, Purity of Heart, &c. or whatever else may be judged by the Vice-Chancellor, Master of Clare-Hall, and Greek Professor, to be most conducive to the honour of the Supreme Being and recommendation of Virtue. And they shall yearly dispose of the Rent of the above Estate to that Master of Arts, whose Poem on the Subject given shall be best approved by them. Which Poem I ordain to be always in English, and to be printed; the expence of which shall be deducted out of the product of the Estate, and the residue given as a reward for the Composer of the Poem, or Ode, or Copy of Verses.

WE the underwritten, do assign Mr. SEATON's Reward for the Year 1774, to CHARLES PETER LAYARD, M. A. for his Poem on DUELLING; and direct the said Poem to be printed according to the Tenor of the Will.

Oct. 24.
1775.

*W. Elliston, Dep. Vice-Chancellor.
P. S. Goddard, Master of Clare-Hall.
J. Lambert, Greek Professor.*

W. J. ...
V. ...
...
... to the ...

W. J. ...
D. ...
...

O N

D U E L L I N G.

WHAT plaintive Voice invokes?—the Silent Muse,
From distant Scenes, where Fancy still supplies
New Beauties as the varying Prospect fades,
Recalls th' attention of her wand'ring Thought.
Sure 'tis the Orphan's Cry; the Widow's Shriek :
Forbear, Ye Mourners! to your earnest Pray'r
Heav'n lends a willing Ear; nor shall the Bard,
While warm affections glow within his Breast,
While Pity claims a Sigh, Distress a tear,
Be deaf to your Complaint; ah! what avails
The Boast of Pride, the Rancour of Revenge,
Delight of Villains! what the bloody Palm,
Which Honor, on her brutal Sons bestows,

A

If

If these, sad Victims to her stern Decree,
 Of each soft Joy bereft, of each bright Hope
 Depriv'd, must wander thro' a vale of tears,
 Estrang'd from Happiness, allied to Woe?

Talk not of Fame! What Fame enjoy'd that Wretch
 That slew his Brother? he, who cou'd not brook
 Rejection from his God, with Anger fir'd,
 With Envy stung, the Ties of Nature burst,
 And sacrific'd the guiltless to Revenge; —
 But mark the Punishment! the Record stands
 First Outcast and Assassin of Mankind.
 Did Honor prompt the adverse Pair who fell
 Each by the Sword of his Antagonist?
 When gallant Mohun, and fiercer Douglas ran
 To sharp Encounter, in the horrid Strife
 Disdaining little Rules of Art, they fought
 Like savage Fiends, for nought but human Blood.
 Did Glory or Revenge inflame their Breasts
 Resolv'd on giving or receiving Death?

Away with Custom! 'tis the Plea of Fools,

Where

Where Crimes enormous that debase the Man
 Rise in their own Defence, the long drawn Roll
 Where the Ascent, and Fall of States or Men
 Stand variously pourtray'd, what is it else
 But a sad Series of collective Guilt,
 Whence Custom for each Wantonness of Ill
 May draw the shameful Precedent? in vain
 Reason illumines the Mind, if Man from Truth
 Strays, like a Sheep which thro' the trackless Waste
 Pursues the Wandring of the bleating Flock.

Talk not of Courage! in the good Man's Breast
 Justice and Piety with Valour reign;
 He, tho' the Fabrick * of the shaken World
 Shou'd burst in thund'ring Ruin o'er his Head,
 Calm and unaw'd wou'd view the crushing Wreck,
 Nor shudder at Destruction; but to brave
 The Wrath of Heav'n, or rashly to intrude
 Spotted with Guilt into his Maker's Sight;
 Or

* Hor. Carm. Lib. III. Od. 3.

*Si fractus illabatur orbis,
 Impavidum ferient ruinæ.*

Or lift for Mercy a rebellious Hand
 Died with a Brother's Gore, he justly fears;
 Yet, in himself collected, will defy
 The taunt of Malice, or that groundless Right
 The weakest, lightest of Mankind assume
 To brand with Infamy his injur'd Name,
 And scorn the Coward daring to forgive.

Speak not of Vengeance! 'tis the Right of God.
 "Vengeance is His." Who shall usurp the Bolt
 And launch it for Omnipotence? shall Man
 Assume the right of Judgment, or prescribe
 How far the Line of Mercy shall extend,
 Or Punishment shall stretch it's Iron Rod?
 In thine own Cause to judge who gave Thee Right,
 Presumptuous Worm! canst thou frail Man correct
 Thy partial Mind, which (as the Needle errs
 Robb'd of it's Virtue by the Lightning's stroke)
 To self-approving Vanity attends,
 Nor heeds the Justice of an adverse Plea?
 Hast Thou created Man, or canst Thou make
 Allowance for Infirmary? canst Thou

Against

Against his Reason weigh his Passions' Force,
 And thence pronounce his Doom? by what base Crime
 Can he thy equal, lose a nat'ral Right,
 That thou shou'dst rise so high above his State,
 And as a Judge consign him to Destruction?

But, in Contempt of Him whose word call'd forth
 Creation's Range, diffusing every Joy
 Which gilds Life's transient Day: dispensing Hope
 That comforts, and each Virtue that exalts;
 Who with his Image stamp'd imperial Man
 Made Heir of Happiness, whose high Regard
 Taught him the Path of Life, whose Voice pronounc'd,
 * Be happy, humble, merciful, and just;
 Thou, Foe to peace, Apostate from thy God!
 Worship'st an Idol which in borrow'd Robes
 The Mockery of Majesty, deckt forth,
 It's fervile Suppliants impiously adore!
 Yet, to awake thee from th' insidious Dream;
 Left, like the Fly which flutters round the Blaze,

Thou

* Micah VI. ver. 8. He hath shewed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love Mercy, and to walk humbly with thy God?

Thou court thy own Destruction, shall the Muse
 From thy vain Idol pluck the treacherous Mask:
 What tho' the dazzling Splendor of it's Beam,
 Afflict the Weakness of thy mortal Sight;
 Let but the glorious Sun of Truth break forth,
 That purer Light which strengthens where it shines,
 As meaner Stars hide their diminish'd Heads
 Asham'd it shall avoid the Flood of Day.

High on a Rock stands Honor's glittering Fane
 Whose lofty Tow'rs above the Clouds ascend;
 It's Gates stand open wide; on either hand,
 Arm'd with each mischievous Device contriv'd
 For fashionable Murder, see false Shame
 And harden'd Cruelty; within inthron'd,
 With Eye suspicious and contracted Brow,
 The Goddess* sits; on her right hand Revenge
 With Mantle dyed in Blood, and on her left
 Pride like a Skeleton in gorgeous Robes

And

* Nostis extra portam Collinam, ædem Honoris: et aram in eo loco fuisse, memorie proditum est. Ad eam cum lamina esset inventa, et in eâ scriptum DOMINA HONORIS; ea causa fuit ædis hujus dedicandæ. Cic. de Legibus, Lib. 2. C. 23.

And royal Diadem; with these a Form
 Still varying, tho' each Change progressive mocks
 The Eye of Observation, stands aloft,
 And with it's strength sustains the spacious Dome
 As Atlas did the World; it's Name on Earth
 Is Custom, such a Phrase unknown in Heav'n.
 Along the Walls the living Colors glow
 Expressing hardy Feats and Deeds of Death:
 Here o'er the fallen Mistress of the World
 The barb'rous Tribes insult, and from the Hives
 And Regions of the North o'er happier Climes
 Pour forth their countless Swarms of various Name,
 Lombards, and Vandals, Heruli, and Goths:
 These, unaccustom'd to that milder Law,
 Which regulates the Strife of polish'd Realms,
 By Ignorance, and Superstition led,
 To Heav'n's Tribunal made their bold Appeal,
 And from the Fortune of the Fight decreed.
 Clad in bright Arms behold the Champions stand,
 And like two Coursers eager for the Race,
 Impatient wait the Signal; on himself
 Each, if for Falsehood he hath drawn his Sword,

Hath

Hath imprecated * Vengeance, but on whom
 The Lot shall fall the Chance of War decides.
 To pray'rs like these the Ear of Heav'n is deaf,
 Nor will it brook Presumption, but abhors
 That Trial whose Event on brutal Force,
 Or Skill, or secret Treachery depends;
 Hence, to his Doom each Champion it resigns,
 Averse to interfere; but he, who claims
 The Style of Heav'ns Vicegerent upon Earth,
 Presumes to warrant † what his God abhors,
 And sanctifies the Sword that thirsts for Blood.

See, for Trinacria's fair and fertile Fields,
 Where

* There were several Oaths taken previous to the judicial Combat; one by the Appellant, another by the Defendant, and a third by them both together, in which each maintained the Justice of his Cause: each of them next swore in a most solemn manner that he used no Incantations, Sorceries, &c. Lastly they gave and took the *defiance*, calling on God to be witness of their right. See the Forms in FAVINE's Theatre of Honor.

† Tho' several Popes, Bishops and Councils endeavoured to abolish the Practice of Duelling; yet there are Instances of Popes giving their Permission to particular persons to engage in them under various pretences. Alciato in his Book de Duello says, concerning the intended Combat hereafter mentioned, "Questi dui havendo lungo tempo guerregiato de l'isola di Sicilia, a' fine con l'autorità di Papa Martino e de' Collegio di Cardinali convennero di combattere infimè à corpo, à corpo à Burdeleu in Guascogna, &c."

Where Charles of Anjou braves th' unequal * Strife
 And against Arragon's perfidious King †
 Comes to maintain his Right: for regal Sway
 Hungarian Brothers ‡ there, as erst for Thebes
 The Sons of Incest wag'd unnat'ral War,
 Contend with hostile Arms and rankling Hate.
 Ill it becomes the Ministers of Peace
 To authorise Contention, but, inflam'd
 With martial Fury and the Rage of Zeal,
 See, where the Papal Champion || of the Church
 Against her Foes defends disputed Rights;

While

* Charles was sixty years of Age, his Antagonist but forty.

† Peter the Third, a Monster of Cruelty and Perfidy, who was the Author of the cruel Massacre of the Sicilian Vespers. Having himself offered the Combat to Charles of Anjou, he came not to the Field till after the Day appointed.

‡ Fu quest' altro memorabile de dui fratelli ambidoi regi de l' Ongheria qual' è detta Pannonia inferiore. Erano questi dui con gl' esserciti in punto per far la giornata: et era à pericolo di far' ammazzare numero infinito di gente: l' uno de fratelli solo andò ne' l' forte de l' altro Rè suo fratello; et con alta voce dimandò d' essere condotto à suo fratello: arrivatovi disse fratello che bisogna che l' uno de noi cerche di remanere vittorioso co' l' sangue de tanti valorosi huomini, hor che non combattiamo nui dui: et isgridando uccise il fratello. Duello de L' Alciato.

|| Sacerdotes, Clerici, Monachi, atque hi Vicarios et Campiones dare tenebantur. Vid. Du Fresne.

While those who preach the peaceful Word of CHRIST
Cherish that Rancour which His Law forbad.

Oppos'd to these behold the warlike Frank *,
Who with the Wreath that blooms on Hymen's Brow
Entwin'd the Laurel won in Honor's Lists,
Where, 'mid the Pomp of War and Pride of Love
In gay Confusion join'd, the hardy Knight
His vanquish'd Rival robb'd of ev'ry Hope
Which Life, or Love, or Valor cou'd bestow,
And gain'd the beauteous Prize; as if the Fall
Of slaughter'd Heroes cou'd in foster Breasts
Give savage-Pleasure and unfeeling Joy.
From Gallia o'er Iberia's Regions spread

The

* Torneamentorum nomen manare multi opinantur ab illâ equorum decurfione et sciomachiâ seu imaginariâ pugnâ veterum, quam Trojam et Trojanum ludum vocabant, ab Ænea in Siciliâ ad Anchisæ patris tumulum primùm inventâ, deinde ad Romanos traductâ, de quâ Virgilius, Suetonius, et Xiphilinus. Alii probabilius censent ut a Gallis eorum usus originem accepit, nempe a verbo *turner* aut *turner* i. e. in orbem circumduci, circumflecti. Qui enim in his militaribus decurfionibus decertabant, quos infidebant, flexis in gyrum frenis, equos circumagebant.

Differebat *Justa* a torneamento quemadmodum species a genere.— Torneamentum plurium et turmatim congregientium, *Justa* singulare erat certamen.

Du Fresne ad voces *Justa* et Torneamentum.

The Rage of Chivalry, nor cou'd the Heights
 Of Pyrenean Hills or rapid Rhine
 Restrain its progress : thro' Germania's * Plains
 And Albion's Isle remote the Phrenzy flew.
 See on his Shield each bears a quaint † Device,
 And round his Arm, by fav'ring Love conferr'd,
 The filken Pledge ‡, which as his Eye beholds,
 With brighter Fire, like the swift Meteor's Gleam,
 It sparkles, while his Bosom pants for Fight:
 Around the Lifts they wheel in quick Career
 And sudden clash, as if opposing Suns
 Shou'd meet full-blazing :—from a shiver'd Lance

The

* Vid. Du Fresne.

† Les Chevaliers étoient distingués entre eux par les armoiries particulières, dont ils chargeoient leur ecu, leur cotte d'armes, &c. See M. De Sainte Palaye's Memoires sur l'ancienne Chevalerie, Part IV. pag. 293, where he assigns the different Causes of assuming particular bearings; and describes certain peculiar ones.

‡ A ce titre (c'est à dire de *Servants d'amour*) les Dames daignoient joindre ordinairement ce qu'on appelloit Faveur, Joyau, Noblesse, Nobloy ou Enseigne: c'étoit une echarpe, un voile, une coëffe, une manche, une mantille, en un mot quelque pièce détachée de leur habillement ou de leur parure; quelquefois un ouvrage tissu de leur mains, dont le Chevalier favorisé ornoit le haut de son heaume, ou de sa lance, son ecu, sa cotte d'armes, quelque partie de son armure et de son vêtement. Mem. Sur l'ancienne Chevalerie, Part. II. pag. 95. Voyez aussi les notes sur ce passage.

The Splinter thro' his Vizor wounds a King,
 And thro' his Eye-Ball violates the Brain:
 The Monarch* falls, and Gallia's Grief resounds.

Next these succeeded† who in after time
 To the stern Goddeſs bent the flaviſh Knee;
 What Scenes of Woe, what complicated Griefs
 Swell the ſad Annals of her cruel Reign!

Behold that aged Sire, a Sire no more!
 He once cou'd boaſt a Son; Yes, hail'd him brave,
 Juſt,

* Henry II. of France killed in a Tournament at Paris by the Comte de Montgomeri. Anno 1559. M. De Sainte Palaye ſpeaks of this Event in the following manner. "Le funeſte accident qui fit périr Henri II. au milieu de ſa cour, et ſous les yeux d'une nation à laquelle il étoit cher, produiſit dans les eſprits une nouvelle revolution qui acheva d'abolir la Chevalerie. Le Coup mortel que reçut ce prince, eteignit dans le cœur des François l'ardeur qu'ils avoient temoignée juſque-là pour les joutes et les Tournois; on craignit de ſe rappeler, à la vûe de ces ſpectacles l'idée d'un malheur qui avoit jetté la France dans la conſternation, et peut-être encore d'en attirer d'autres ſemblables. Part. V. pag. 40.

† Les Tournois, ces reſorts ſi puiffans pour faire mouvoir les Chevaliers ayant ceſſé preſque totalement, entraînerent par leur chute celle de la Chevalerie même. La valeur Françoisé, toujours bouillante dans le ſein même d'une Cour voluptueuſe, n'étant plus occupée des exercices des Tournois; ni retenue dans les bornes du devoir par les ſages loix de l'ancienne Chevalerie, dégénéra bientôt en une aveugle fureur pour les duels. M. De Sainte Palaye, Ibid.

Just, generous, and worthy; but in vain!
 Beneath the Marble rests his breathless Corse,
 And all those Virtues which once bloom'd so fair
 Lie wither'd in the Tomb; the mournful Lay,
 Preserver of his Fame, renews the Sigh
 And heartfelt Anguish of parental Woe.

Remark that Form, and if the hand of Grief
 Hath not the Charms of Beauty quite eras'd,
 As of their Hue the boist'rous North wind robs
 The vernal Flow'rs, remember her whom once
 Envy beheld with Madness, on whose head
 The choicest Blessings were by heav'n show'r'd down
 'Till one dire Moment hurl'd her from her Bliss,
 And plung'd her deep in comfortless Despair.
 Where now are fled the Hours of soft Delight?
 Those smiling Hours, which, as they flew, supplied
 Variety of Happiness? O Thou,
 Whose ruthless Sword each lovely Scene laid waste,
 Who thro' the Husband's Bosom stabb'd the Wife,
 Say, can the Phantom Honor, can the Pride

Of

Of Conquest, or the Transport of Revenge;
 Say, can the vain Applause of those, whose Praise
 Stamps thee unworthy of the Name of Man,
 Can these lull Conscience in eternal Sleep,
 Or bribe Reflection to withhold her Stings?

Now view that Monster whose ungrateful Arm
 Destroys his Friend, to whom he owes his Life,
 And all Life's Worth: him oft his guardian hand
 From Want, from Sickness, from the yawning Tomb
 Rescu'd; what Crime of more than mortal Dye
 Cou'd freeze the genial Current of his Heart,
 Or change its native Sweetness into Gall?
 One idle Word let fall in thoughtless sport,
 E'er yet reflecting Reason had perceiv'd,
 Or scann'd its Import, but, with those who boast
 The ill-earn'd Name of honorable Men,
 All Ties it cancels, Benefits outweighs,
 And claims the rash Offender's forfeit Life.

Full many a Theme of Grief the Muse cou'd urge,

Full

Full many a Scene of Misery describe,
 Which from her Bosom drew the heartfelt Pang;
 But, with Variety of Woes oppress'd,
 From the sad Prospect she recalls her Eye.

But Thou, Who from thy glorious Throne above
 With Look benign behold'st the Sons of Men;
 Whose Word is Peace and Love, Whom to obey
 Is Honor, Whom to serve is Liberty,
 Break the malicious Sword, subdue the Rage
 Of Pride, and curb the Phrenzy of Revenge;
 Instruct th' Oppressor to withhold his hand,
 And teach the injur'd bravely to forgive.



Full many a scene of misery describ'd,
Which from her Bottom drew the heart'sick pang;
But, with Variety of Voices oppress'd,
From the sad Prospect she recalls her Eye.

But Thou, Who from thy glorious Throne above
With look benign beholdest the Sons of Men;
Whole Word is Peace and Love, Whom to obey
Is Honor, Whom to serve is Liberty;
Break the malicious Sword, subdue the Rage
Of Pride, and curb the Phrenzy of Revenge;
Instruct the Oppressor to withhold his hand,
And teach the injur'd bravely to forgive.



